

William B. McGuire
TOMPKINS, MCGUIRE,
WACHENFELD & BARRY LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-3000

Douglas S. Eakeley
LOWENSTEIN SANDLER PC
65 Livingston Avenue
Roseland, New Jersey 07068
(973) 597-2500

Of Counsel:

Theodore V. Wells, Jr.
Daniel J. Kramer
Andrew G. Gordon
Daniel J. Leffell
Alex Young K. Oh
PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
(212) 373-3000

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC.
VYTORIN/ZETIA SECURITIES
LITIGATION

08-CV-2177 (DMC) (JAD)

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

Return Date: April 2, 2012

Oral Argument Requested

PLEASE TAKE NOTICE THAT, Defendants Merck & Co., Inc.,
Merck/Schering-Plough Pharmaceuticals, MSP Distribution Services (C) LLC,
MSP Singapore Company LLC, Richard T. Clark, Peter S. Kim, and Deepak
Khanna (collectively, the “Defendants”), by their attorneys Tompkins, McGuire,
Wachenfeld & Barry LLP, Paul, Weiss, Rifkind, Wharton & Garrison LLP and
Lowenstein Sandler PC, will move this Court for an Order granting their Motion
for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil
Procedure, and dismissing with prejudice Plaintiffs’ Second Amended
Consolidated Complaint For Violation of the Federal Securities Laws.

PLEASE TAKE FURTHER NOTICE THAT, in support of their
Motion, Defendants will rely upon the Memorandum of Law In Support Of The
Merck Defendants’ Motion For Summary Judgment, their Local Civil Rule 56.1
Statement of Undisputed Material Facts, the accompanying Affidavit of Andrew
G. Gordon and annexed exhibits, and all other papers previously on file or to be
submitted herein. A proposed form of Order is enclosed.

PLEASE TAKE FURTHER NOTICE THAT, Defendants respectfully
request oral argument.

Dated: March 1, 2012
Newark, New Jersey

**TOMPKINS, MCGUIRE,
WACHENFELD & BARRY LLP**

By: 

William B. McGuire
Four Gateway Center
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Newark, New Jersey 07102
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Theodore V. Wells, Jr.
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PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
1285 Avenue of the Americas
New York, New York 10019-6064
(212) 373-3000

Douglas S. Eakeley
Gavin J. Rooney
LOWENSTEIN SANDLER PC
65 Livingston Avenue
Roseland, New Jersey 07068
(973) 597-2500

Attorneys for Defendants